

12-19-03

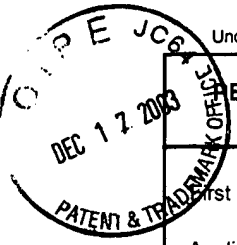
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DAC

PTO/SB/61 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)  
4813-105 US

First named inventor: Madarasz, Frank L.

Group Art Unit: 3737

Application Number: 09/781,035

Examiner: TBA

Filed: February 9, 2001

Title: Bayesian Methods For Flow Parameter Estimates In Magnetic Resonance Imaging

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

**1. Petition fee**

- ☒ small entity - fee \$ 55 (37 CFR 1.17(l)). Applicant claims small entity status.  
See 37 CFR 1.27.
- ☐ other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)).

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of continuing application (identify the type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_
- ☐ is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

December 16, 2003

Date

Signature

Telephone

Number: ( 609 ) 924-8555

David P. Krivoshik - Mathews, Collins, Shepherd &amp; McKay

Typed or printed name

100 Thanet Circle Suite 306

Address

Princeton, NJ 08540

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

Date

Signature

Typed or printed name of person signing certificate

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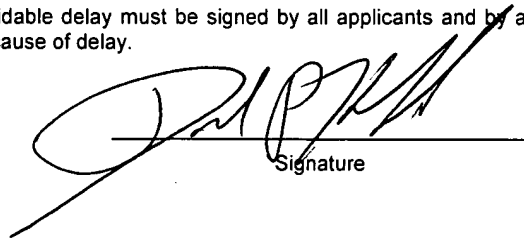
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY  
UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants and by any other party who is presenting statements concerning the cause of delay.

December 16, 2003

Date



Signature

David P. Krivoschik

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

In response to the Filing Receipt and the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) - Filing Date Granted" both mailed on May 21, 2001, the applicant believed the application was complete. The applicant called the week of May 24, 2001 Customer Service Center Initial Patent Examination Division at 703-308-1202 to discuss the error in the Filing Receipt and the Notice to File Missing Parts. In particular the applicant stated that the patent application included a facsimile copy of the signed Declaration and Power of Attorney for Frank L. Madarasz, Ramarao Inguva and James K. Wyly, the inventors who are also identified in the provisional patent application to which priority is claimed and the filing receipt omitted James K. Wyly. Customer Service at the USPTO acknowledged that the facsimile copy of the Declaration and Power of Attorney documents for Frank L. Madarasz, Ramarao Inguva and James K. Wyly were originally filed with the application and that the Notice to Filing Missing Parts was in error.

The applicant prepared and mailed a Request For Corrected Filing Receipt on May 24, 2001, attached as Exhibit A. The applicant stated in the response mailed May 24, 2001 "this is to confirm our understanding that the application is complete, containing the facsimile copy of the signed Declaration and Power of Attorney for Frank L. Madarasz, Ramarao Inguva and James K. Wyly."

On November 7, 2002 the applicant filed a Status Request, attached as Exhibit B.

On May 16, 2003 the applicant filed another Request For Corrected Filing Receipt, attached as Exhibit C. This request was filed by facsimile in view of the revised USPTO procedure regarding filing receipt correction requests.

On October 7, 2003 the USPTO mailed a Notice of Abandonment, attached as Exhibit D.

On October 20, 2003 the USPTO mailed a Status and Response to Corrected Filing Receipt, attached as Exhibit E. This document was the 1<sup>st</sup> time the applicant was advised that the signature of the 3<sup>rd</sup> inventor was considered not legible. Applicant obtained a newly executed original Declaration for the 3<sup>rd</sup> inventor, James K. Wyly, which was received yesterday, a copy of which along with the cancelled envelope is attached as Exhibit F, with the original document is included with the Continuing Application.

*(Please attach additional sheets if additional space is necessary)*

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